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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of: Estes et al.	)	Before the Examiner: Jessica R. Baxter
Application Serial No. 10/650,494	)	Group Art Unit 3733
Filed August 28, 2003	) ) )	Ref. No. MSDI-479/ PC457.06
LATERALLY EXPANDING INTERVERTEBRAL FUSION DEVICE	) ) )	June 15, 2006

## RESPONSE TO RESTRICTION REQUIREMENT UNDER 35 U.S.C. § 121

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In response to the Restriction Requirement mailed May 4, 2006, please enter and consider the following remarks. A fee in the amount of \$120.00 is remitted herewith for a one (1) month extension of time, thereby extending the time period to respond to the Restriction Requirement to July 4, 2006. Additionally, please provide any extensions of time necessary and charge any additional fees which may be necessary to Deposit Account No. 12-2424, but not to include any payment of issue fees.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

June 15, 2006

Brad A. Scheners

Name of Registered Representative

Signature

June 15, 2006

Date of Signature